

IN THE UNITED STATES DISTRICT COURT  
FOR THE ~~NORTHERN~~ DISTRICT OF ALABAMA  
MIDDLE

2018 OCT 19 A 11:04 2:18-cv-896-WHA

DEBRA P. HACKETT, CLK  
U.S. DISTRICT COURT  
MIDDLE DISTRICT AL

Inmate Identification Number:

Christopher DeShawn Montague #275888

(Enter above the full name(s) of the plaintiff(s)  
in this action)

vs.

officer J. Mitchell

officer J. McClain

(individually and in their official capacities)

(Enter above full name(s) of the defendant(s)  
in this action)

**NOTICE TO FILING PARTY**

It is your responsibility to  
notify the clerk in writing  
of any address change.  
Failure to notify the clerk  
may result in dismissal  
of your case  
without further notice.

**I. Previous lawsuits**

A. Have you begun other lawsuits in state or federal court(s) dealing with the same facts involved in this action or otherwise relating to your imprisonment?  
Yes ( ) No (X)

B. If your answer to (A) is "yes," describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuit(s) on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiff(s):

Defendant(s):

N/A

2. Court (If Federal Court, name the district; if State Court, name the county)

N/A

3. Docket number

N/A

4. Name of judge to whom case was assigned

N/A

5. Disposition (for example: Was the case dismissed? Was it appealed? Is it still pending?)

6. Approximate date of filing lawsuit

N/A

7. Approximate date of disposition

N/A

II. Place of present confinement

Elmore Corr. Fac 3520 Marion Spillway RD  
Elmore, AL 36025

A. Is there a prisoner grievance procedure in this institution?

Yes ( )

No (X)

B. Did you present the facts relating to your complaint in the state prisoner grievance procedure?

Yes (X)

No ( )

C. If your answer is YES:

1. What steps did you take?

I filled out a Request slip to the  
warden as soon as it happened

2. What was the result?

NO ANSWER AND I WAS TRANSFERRED THE  
NEXT DAY

D. If your answer is NO, explain why not?

## III. Parties

In item (A) below, place your name(s) in the first blank and place your present address in the second blank. Do the same for additional plaintiffs, if any.

A. Name of plaintiff(s) Christopher Deshaun Montague

Address Elmore Corr. Fac 3520 Marion Spillway RD  
Elmore, AL 36025

In item (B) below, place the full name of the defendant in the first blank, his official position in the second blank, and his place of employment in the third blank. Use item (C) for the names, positions, and places of employment of any additional defendants.

B. Defendant Officer J. Mitchell

is employed as Staten Corr. Facility

at 2690 Marion Spillway RD., Elmore, AL 36025

C. Additional Defendants Officer J. McClain

Staten Corr. Facility

2690 Marion Spillway RD.

Elmore, AL 36025

## IV. Statement of Claim

State here, as briefly as possible, the FACTS of your case. Describe how each defendant is involved. Include also the names of other persons involved, dates and places. Do not give any legal arguments or cite any cases or statutes. If you intend to allege a number of related claims, number and set forth each claim in a separate paragraph. Use as much space as you need. Attach extra sheets, if necessary.

1. on 8-23-18 at Staten Corr Facility at approx 8:30 p.m.

I was assaulted "punched and kicked" by officers  
J. Mitchell and J. McClain

2.) officers' claim I was moving during their institutional



can't but I receive no disciplinary, citation or reprimand  
for no such act.

3.5 Both officer McClain and Mitchell tackled me on  
camera "in B-Dorm"

4.) Both officers took turns punching me in my face,  
both my eyes, my ears and once I put myself in a →  
cont.

V. RELIEF

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

\$ 75,000 Compensatory Damages

\$ 75,000 Punitive Damages

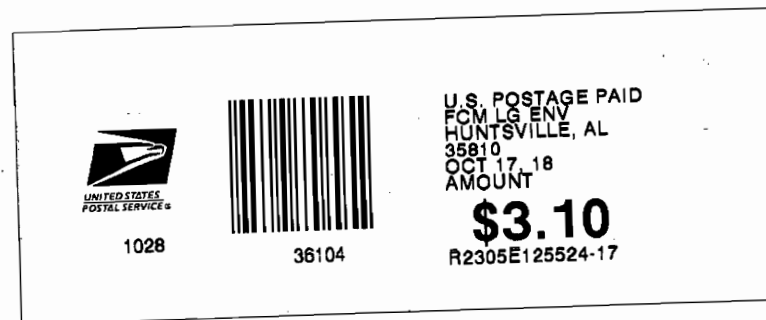
"I declare under penalty of perjury that the foregoing is true and correct.

Executed on October 9<sup>th</sup> 2018

Christopher Montague #275888  
Signature(s)

- 4.) fetal position officer McCain began to kick me in my head, ribs, back and legs while officer Mitchell looked at.
- 5.) Once officer McCain had finished officer Mitchell came over and kicked me in my head, ribs, back and legs while officer McCain looked at.
- 6.) After the incident I asked both officers to take me to Medical and they told me to go clean to blood off of me and stay on my bunk and if I say anything they'll kill me next time.
- 7.) After shift had changed and both officers left I called Institutional Investigation and left a detailed message but they never came to see me.
- 8.) Capt. Howard was somehow made aware of the situation and I was then taken to medical, given a body chart of my injuries and the Capt and several other officers took pictures of my injuries to both my eyes, my face, head, back and ribs also my legs.
- 9.) I was told to write a statement and give to Capt. Howard at which I did.
- 10.) I also wrote a request slip to the Warden, since facility has no grievance system in place.
- 11.) less than 24 hrs. after incident I was transferred to Elmore Corr. Fac, where I have been given then an award about the name of officials who took the photo of injuries.
- 12.) At All times officer J. McCain and officer J. Mitchell ~~was~~ acted under the color of law "State law"

Christopher Montague - 275888  
Elmore C.F.  
3520 Marion Spillway Rd  
Elmore AL 36025



Ms. Debra Hackett  
Clerk of the Court: U.S.D.C.  
~~Montgomery, AL~~ 1 Church St.  
Montgomery, AL 36104